

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30781 of 2020

Arising Out of PS. Case No.-105 Year-2019 Thana- PATRAKARNAGAR District- Patna

MONU KUMAR @ SAURAV KUMAR Son of Late Ashok Singh Resident
of Village - Karanpura, P.S.- Gopalpur, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 08-02-2021

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Patrakar Nagar P.S. Case No. 105 of 2019, registered for the offence punishable under Sections 302/120(B) of the Indian Penal Code and Section 27 of Arms Act.

There are six persons named in the First Information Report. There is allegation against co-accused Kallu Singh and Upnesh Singh of having shot the deceased dead. The petitioner and others are said to have conspired for killing of the deceased. The petitioner had gone to a hospital, where one Birendra Singh of the same village was hospitalized to know his condition.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner's implication is only on the basis of suspicion. He has further submitted that co-



accused Chhotu Kumar @ Chandraket Singh and Abhiraj Singh @ Tutu Singh, who are similarly circumstanced, have been allowed privilege of anticipatory bail by this Court by orders dated 17.10.2019 passed in Cr. Misc. No. 46369 of 2019 and 18.02.2020 passed in Cr. Misc. No. 83939 of 2019. It has been stated in paragraph 3 of the application that the petitioner has no criminal antecedent.

Considering the above submission and the fact that similarly circumstanced co-accused persons have been allowed anticipatory bail, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-cum-Sub Judge-Xth, Patna, in Patrakar Nagar P.S. Case No. 105 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail



bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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